

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

GLENN L. COX,

Plaintiff,

vs.

BNSF RAILWAY COMPANY, a  
Delaware Corporation,

Defendant.

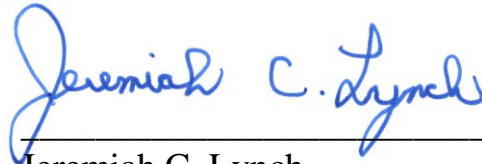
CV 19-82- M-DLC-JCL

FINDINGS &  
RECOMMENDATION

On May 21, 2019, Defendant BNSF Railway Company moved to dismiss pro se Plaintiff Glenn Cox's complaint for failure to state a claim for relief under Federal Rule of Civil Procedure 12(b)(6). (Doc. 8). Defendant argues dismissal is proper on several grounds, including that Plaintiff's claims are barred by the applicable statute of limitations. On June 3, 2019, Plaintiff filed a "Motion for Joinder to Dismiss with Prejudice" in which he joins Defendant's Rule 12(b)(6) motion. (Doc. 13). Because Plaintiff joins in Defendant's motion and agrees that this case should be dismissed for failure to comply with the applicable statute of limitations,

IT IS RECOMMENDED that Defendant's Rule 12(b)(6) motion be GRANTED and this case be DISMISSED with prejudice.

DATED this 7<sup>th</sup> day of June, 2019.

A handwritten signature in blue ink, reading "Jeremiah C. Lynch". The signature is written in a cursive style with a large initial "J".

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Jeremiah C. Lynch  
United States Magistrate Judge